

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:08CR3038
	)	
v.	)	
	)	ORDER
SILBESTRE BARRAGAN-PENALOSA	)	
and YESENIA MILLAN GONZALEZ,	)	
	)	
Defendant.	)	

IT IS ORDERED,

Defendant Barragan-Penalosa's motion to continue, [filing 42](#), is granted and,

1. Trial as to both defendants is continued to 9:00 a.m., August 25, 2008 before the Honorable Richard G. Kopf in Courtroom 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska. Jury selection will be held at commencement of trial.

2. The ends of justice will be served by granting such a motion, and outweigh the interests of the public and the defendants in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between June 13, 2008 and August 25, 2008 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. [18 U.S.C. § 3161\(h\) \(8\) \(A\) & \(B\)](#).

Dated June 13, 2008.

BY THE COURT

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge